



WD 174

**COMBINED DECLARATION for PATENT APPLICATION
And POWER OF ATTORNEY
English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Nitrosated and Nitrosylated Cardiovascular Compounds, Compositions and Methods of Use

This declaration is directed to the international application of which it forms a part.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefit under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Priority Foreign Application(s)	Priority Claimed
	// // Yes No

I hereby claim the benefit under Title 35, United States code, §119(e) of any United States provisional application(s) listed below.

<u>60/498,309</u> (Application Serial No.)	<u>August 28, 2003</u> (Filing Date)
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<u>60/535,542</u> (Application Serial No.)	<u>January 12, 2004</u> (Filing Date)
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I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior applications(s), in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u>
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<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u>
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The undersigned hereby appoints(s) the following U.S. attorneys and/or agents to prosecute this application and any division, continuation, continuation-in-part, reexamination or reissue applications thereof, and to transact all business in the Patent and Trademark Office connected therewith:

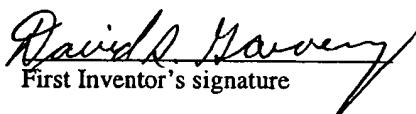
Radha Iyengar, Ph.D., Reg. No. 44,796, of NitroMed, Inc., 125 Spring Street, Lexington, MA 02421, US; and

all registered practitioners listed at customer number 24395 of Wilmer Cutter Pickering Hale and Dorr LLP, 1455 Pennsylvania Avenue, NW, Washington, DC 20004;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:

David S. Garvey


First Inventor's signature

August 12, 2004
Date

10 Grand Hill Drive, Dover, MA 02030, UNITED STATES
Residence Address

UNITED STATES

Citizenship

Full name of second inventor:

L. Gordon Letts

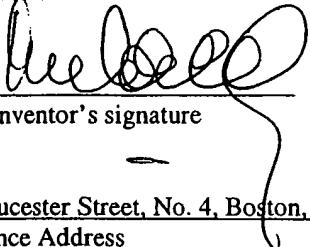

Second Inventor's signature

August 12, 2004
Date

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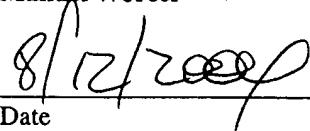
Full name of third inventor:



Third Inventor's signature

Manuel Worcel

Date



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FRANCE

Citizenship

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Citizenship

PCT
POWER OF ATTORNEY
(PCT RULE 90.4)

The undersigned applicant:

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hereby appoints the following persons as agents: Radha Iyengar, Ph.D., Reg. No. 44,796, of NitroMed, Inc., 125 Spring Street, Lexington, MA 02421, US; and all registered practitioners listed at customer number 24395; of Wilmer Cutter Pickering Hale and Dorr LLP, 1455 Pennsylvania Avenue, NW, Washington, DC 20004.

to represent the undersigned before all the competent International Authorities in connection with the international application identified below:

Title of the Invention: **Nitrosated and/or Nitrosylated Cardiovascular Compounds, Compositions and Methods of Use**

filed with the US as Receiving Office herewith, and to make or receive payments on behalf of the undersigned.

Signature of the Applicant:



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Date: August 12, 2004

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8/12/2004